

REMARKS

This amendment responds to the office action mailed July 8, 2005. In the office action the Examiner:

- allowed claims 7, 9-11 and 23-32;
- rejected claims 12-17 and 21-22 under 35 U.S.C. 112, 1st paragraph;
- rejected claims 12-17 and 21-22 under 35 U.S.C. 103 based on Kinal in view of Allison.

After entry of this amendment, the pending claims are: claims 7, 9-17, and 21-32. The total number of pending claims is 22.

Overview of Changes to the Claims

Independent claims 12 and 21 have been clarified to indicate that a first position of the object is determined “based only on information received from the local reference receiver.” Support for this amendment is found in the specification on p. 4, paragraph 10. This amendment, therefore, does not constitute new matter.

35 USC 112, 1st Paragraph Rejections

In the present Office Action, claims 12-17 and 21-22 have been rejected under 35 U.S.C. 112, 1st paragraph. The Applicants disagree and traverse.

Using pending independent claims 12 and 21 as an example, p. 4, paragraph 10 in the specification provides direct support for the claim limitations. Specifically: “The method includes using a known position of a user receiver to initialize the floating ambiguity values in a WADGPS system. When the user receiver has been stationary, the known position of the user receiver may be a surveyed position or a position obtained from a prior operation. When the user receiver is moving, the known location may be obtained using an RTK system.” Additional support is found in the specification on p. 7, paragraph 23, and in the description of Figures 3A and 3B in paragraphs 37-42. It is further noted that the cited paragraphs of the specification provide support for the order of operations in claim 12 and the other pending claims.

Support for claims 13-17 and 22 are provided in the embodiments described on pp. 7-12 of the specification.

In the present Office Action (p. 2, paragraph 2) the Examiner took issue with the description of the WADGPS system in p. 9, paragraph 29 of the specification. The

Applicants respectfully direct the Examiner's attention to the first sentence of that paragraph, which states: "Therefore, in situations where the local RTK system 150 is **not available** [emphasis added] or has lost its accuracy due to a large separation between the user GPS receiver and the reference station, the user may need to operate in the WADGPS mode in which a different approach to resolving integer ambiguity is used." As such, paragraph 29 is directed to a different embodiment than that claimed in pending claims 12 and 21.

Removal of this ground for rejection is requested.

35 USC 103 Rejections

In the present Office Action, claims 12-17 and 21-22 have been rejected under as obvious over Kinal (US 6,040,798) in view of Allison. The Applicants disagree and traverse.

The combination cited by the Examiner does not achieve each of the limitations of the pending independent claims 12 and 21. In particular, the cited combination does not determine "floating ambiguity values associated with carrier-phase measurements obtained at the object **using the first position of the object**" [emphasis added]. The determining of the floating ambiguity value in this way in the pending independent claims is neither disclosed nor suggested in the cited combination.

In addition, after entry of this response, the independent claims include the limitation of determining a first position of the object based only on information received from the local reference receiver. This limitation is neither disclosed nor suggested in the cited combination.

Since the combination does not achieve all of the claim limitations, the combination is not *prima facie* obvious. Removal of this ground for rejection is requested.

The Applicants also note that in the present Office Action the Examiner has failed to apply the cited combination to the limitations in pending claims 13-17 and 22. As such, the Examiner's rejection of these claims is improper. Based on a discussion with the Examiner on August 3, 2005, the Examiner indicated that the finality of the present Office Action will be withdrawn after entry of the present reply.

Prior Art Made of Record

The Examiner has indicated that US 6,127,968 (Lu) and WO 99/23505 (Park), not relied upon, are considered pertinent to the present application. Under 37 CFR 1.111(b), "(t)he reply must present arguments pointing out the specific distinctions believed to render

the claims, including any newly presented claims, patentable over any applied references” (emphasis added). It is respectfully noted that the office action did not apply any of these listed references to any of the pending claims. Nevertheless, the applicant observes that none of these cited references discloses or teaches alone or in combination all the limitations of the pending claims.

CONCLUSION

In light of the above amendments and remarks, the Applicant respectfully requests that the Examiner reconsider this application with a view towards allowance. The Examiner is invited to call the undersigned attorney at 650-843-7501, if a telephone call could help resolve any remaining items.

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Respectfully submitted,



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